

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RE-SOURCES FOR SUSTAINABLE
COMMUNITIES; A-1 BUILDERS; and all
others similarly situated,

Plaintiffs,

v.

BUILDING INDUSTRY ASSOCIATION OF
WASHINGTON, et al.,

Defendants.

CASE NO. C07-1519RSM

ORDER ON MOTION FOR
EXTENSION OF TIME

This matter is before the Court for consideration of plaintiffs' motion for an extension of time to file replies to two pending motions. Dkt. # 35. The two motions are plaintiffs' motion for class certification, Dkt. # 28, currently noted for February 15, 2008, and plaintiffs' motion for partial summary judgment, Dkt. # 29, currently noted for February 8, 2008. Plaintiffs filed both motions on January 17, 2008, and on January 22, 2008 re-noted the class certification motion for a week later than the original noting date. Dkt. # 34. Defendants have opposed the motion for an extension of time.

The basis for plaintiffs' motion is their assertion that the four-day time period allowed under the local rules for filing a reply is simply too short to allow them to address the issues in this complex case. Local Rule CR 7(d)(3). Plaintiffs also assert that defendants have failed to timely comply with discovery requests, and have noted depositions during the four-day period available for plaintiffs to prepare their

ORDER ON MOTION FOR EXTENSION OF
TIME - 1

1 reply on the summary judgment motion. Defendants in response assert that their discovery objections
2 were well-founded, and that most of the documents which they agreed to provide by February 14, 2008
3 were in fact provided on February 4. Declaration of Harry Korrell, ¶¶ 7 - 14. Defendants also note that
4 plaintiffs are represented by seven attorneys from three different law firms, and have sufficient resources
5 to comply with concurrent obligations imposed by the court rules and litigation schedule.

6 The Court finds in plaintiffs' arguments no basis for extending the four-day reply period. While
7 plaintiffs assert that defendants have demonstrated no prejudice that would arise from an extension, the
8 Court finds that the real prejudice is to the Court and the members of the bar of this Court. The deadlines
9 set forth in the local rules have been developed by the Court for good reasons, including the orderly
10 management of its docket, and the creation of settled expectations of the litigants. The members of the
11 bar are expected to meet those deadlines unless they can show good cause for a deviation, such as
12 unexpected or exigent circumstances. Plaintiffs were fully aware of the deadlines when they chose to file
13 early motions for class certification and for partial summary judgment. Their compliance cannot be
14 excused simply because they (like most parties who litigate in this Court) feel their case is complex. The
15 concurrent discovery obligations are well within the realm of circumstances which should have been
16 anticipated, and do not qualify as unexpected or exigent circumstances.

17 Plaintiffs' motion for an extension of time to file their two replies is accordingly DENIED.
18 However, as this ruling gives plaintiffs only one day's notice to file the reply on the motion for partial
19 summary judgment (Dkt. # 29), the due date for that reply shall be extended until Tuesday, February 12,
20 2008.

21 Dated this 7th day of February, 2008.



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23 RICARDO S. MARTINEZ
24 UNITED STATES DISTRICT JUDGE
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